

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DERRYL WATSON,

Plaintiff,

v.

Case No. 16-cv-13770
Honorable Linda V. Parker

CHARLES JAMSEN, *et al.*,

Defendants.

/

**OPINION AND ORDER ADOPTING MAGISTRATE JUDGE'S JUNE 25,
2018 REPORT AND RECOMMENDATION AND DENYING PLAINTIFF'S
MOTION FOR PRELIMINARY INJUNCTION (ECF NO. 43)**

On October 21, 2016, Plaintiff filed this *pro se* complaint under 42 U.S.C. § 1983, alleging deliberate indifference to his serious medical condition in violation of the Eighth Amendment. (ECF No. 1.) This matter was referred to Magistrate Judge R. Steven Whalen for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation ("R&R") on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 5.) On October 2, 2017, Plaintiff filed a Motion for Preliminary Injunction based on prison officials' alleged failure to accommodate his medical requests. (ECF No. 43.)

On June 25, 2018, Magistrate Judge Whalen issued an R&R recommending that this Court deny Plaintiff's motion for preliminary injunction. (ECF No. 70.) At the conclusion of the R&R, Magistrate Judge Whalen advised the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (*Id.* at Pg ID 476.) He further specifically advised the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*) Neither Plaintiff nor Defendants filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Whalen. The Court, therefore, adopts Magistrate Judge Whalen's June 25, 2018 R&R.

Accordingly,

IT IS ORDERED that Plaintiff's motion for preliminary injunction (ECF No. 43) is **DENIED**.

IT IS SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: July 24, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, July 24, 2018, by electronic and/or U.S. First Class mail.

s/ R. Loury
Case Manager